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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,649	04/16/2004	Hideo Kato	G121-085 US	2288
21706	7590	06/07/2006		EXAMINER
NOTARO AND MICHALOS				LE, DANH C
100 DUTCH HILL ROAD				
SUITE 110			ART UNIT	PAPER NUMBER
ORANGEBURG, NY 10962-2100			2617	

DATE MAILED: 06/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/826,649	KATO, HIDEO	
	Examiner DANH C. LE	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  
 If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  
 Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 25 October 2004.  
 2a) This action is FINAL.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-8 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-8 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) All    b) Some \* c) None of:  
         1. Certified copies of the priority documents have been received.  
         2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
         3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
     \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

**DETAILED ACTION**

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***SET I***

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1, 3-5 are rejected under 35 U.S.C. 102(e) as being anticipate by Aagaard (US 6,839,576).**

As to claim 1, Aagaard teaches a portable terminal device (figures 1-6 and their descriptions) comprising:

a first member having a keyboard operation portion; and

a second member having a display portion and attached to said first member via a coupling member movable in a horizontal direction relative to said first member, said second member being movable together with the coupling member in the horizontal direction relative to said first member, wherein said second member is rotatably attached to the coupling member so as to allow a side face or a rear face of said second

member to face forward after the coupling member moves in the horizontal direction relative to said first member.

As to claim 3, Aagaard teaches the portable terminal device according to claim 1, wherein the coupling member is attached to said first member to be slidable in one direction when the coupling member is attached to said first member to be movable in the horizontal direction (figures 1-6 and their descriptions).

As to claim 4, Aagaard teaches the portable terminal device according to claim 3, further comprising a slide mechanism with a pressing means for slidably attaching the coupling member to the first member (figures 1-6 and their descriptions).

As to claim 5, Aagaard teaches the portable terminal device according to claim 1, wherein the coupling member is attached to said first member to be rotatable in the horizontal direction when the coupling member is attached to the first member to be movable in the horizontal direction (figures 1-6 and their descriptions).

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

#### **3. Claims 2 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aagaard in view of Mizuta (US 2003/0064758).**

As to claim 2, Aagaard teaches a portable terminal device according to claim 1, Aagaard fails to teach further comprising a rotating means with a friction mechanism for

rotatably attaching said second member to the coupling member. Mizuta teaches a rotating means with a friction mechanism for rotatably attaching said second member to the coupling member (paragraph 0089). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Mizuta into the system of Aagaard in order to enhance the system performance of the multiple axis hinge assembly.

As to claim 6, the limitation of the claim is the same limitation of claim 2; therefore, the claim is interpreted and rejected as set as claim 2.

**4. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aagaard and Mizuta (US 2003/0064758) in view of Wada (US 6,965,413).**

As to claim 7, the combination Aagaard and Mizuta teaches a portable terminal device according to claim 2, the combination of Aagaard and Mizuta fails to teach said rotating means has a shaft with a hollow portion provided in an axial direction thereof and a lead wire passes through an internal part of the hollow portion. Wada teaches said rotating means has a shaft with a hollow portion provided in an axial direction thereof and a lead wire passes through an internal part of the hollow portion (figure 4). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Wada into the system of Aagaard and Mizuta in order to enhance the system performance of the multiple axis hinge assembly.

As to claim 8, the combination of xx, Mizuta and Wada teaches a portable terminal device according to claim 1, wherein said second member has a camera

provided on a side face and/or a rear face thereof, in addition to the display portion provided on a front face thereof (Wada figures 4 and 5 and their descriptions).

***SET I***

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**5. Claims 1, 3-5 are rejected under 35 U.S.C. 102(e) as being anticipate by Shindo (US 5,661,641).**

As to claim 1, Shindo teaches a portable terminal device (figures 8-13 and their descriptions) comprising:

a first member having a keyboard operation portion; and  
a second member having a display portion and attached to said first member via a coupling member movable in a horizontal direction relative to said first member, said second member being movable together with the coupling member in the horizontal direction relative to said first member, wherein said second member is rotatably attached to the coupling member so as to allow a side face or a rear face of said second member to face forward after the coupling member moves in the horizontal direction relative to said first member.

As to claim 3, Shindo teaches the portable terminal device according to claim 1, wherein the coupling member is attached to said first member to be slidable in one direction when the coupling member is attached to said first member to be movable in the horizontal direction (figures 8-13 and their descriptions).

As to claim 4, Shindo teaches the portable terminal device according to claim 3, further comprising a slide mechanism with a pressing means for slidably attaching the coupling member to the first member (figures 8-13 and their descriptions).

As to claim 5, Shindo teaches the portable terminal device according to claim 1, wherein the coupling member is attached to said first member to be rotatable in the horizontal direction when the coupling member is attached to the first member to be movable in the horizontal direction (figures 8-13 and their descriptions).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. Horiguchi (US 6,980,735) teaches camera an image inputting apparatus, a portable terminal device, and a method for transforming the camera configuration.

B. Shim et al (US 6,640,113) teaches touch sensitive display integrated with a handheld radiotelephone.

C. Matsumoto (US 2004/0203527) teaches mobile communication terminal with rotational display unit.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C. LE whose telephone number is 571-272-7868. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
May 29, 2005  
DANH CONG LE  
PRIMARY EXAMINER